

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE THE UNITED STATES ELECTED OFFICE (EO/US)

Applicant:

William F. AFTOORA

Docket No.:

WFA-1400

Serial No:

10/049,876

Examiner:

not assigned yet

Filed:

February 12, 2002

Group Art Unit:

not assigned yet

For:

FLAVORED SOLID-FORM FOOD PRODUCT AND METHOD OF

PREPARATION

BOX PCT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

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(type or print name of person signing paper)

(signature of person mailing paper)

(date)

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE A FIRST OFFICE ACTION ON THE MERITS

(37 C.F.R. §1.97(b)(3))

Pursuant to 37 C.F.R. §1.97 encouraging the filing of an Information Disclosure Statement, Applicant submits this paper in compliance with his duty of disclosure as set forth in 37 C.F.R. §1.56.

Applicant wishes to introduce art having some relevance to the present application, which has been listed on attached Form PTO/SB/08A. This form includes twenty-two (22) United States patent documents. No representation is made that a specific search has been made by Applicant, that the information is material to the claimed subject matter, or that the information represents the only or the best information.

Applicant does not admit that any of the information provided is necessarily prior to his invention, but rather it is information of which he is aware and believes should be provided to the Office in fulfillment of the duty of disclosure. Any question that may arise regarding the priority of a specific document shall be resolved during prosecution.

The information provided herewith is in the English language. The referenced art is being cited for the express purpose of providing the Patent and Trademark Office with the opportunity to make an evaluation and to arrive at an independent assessment of materiality of each document, if any, to the examination of this application. The Examiner is requested to disregard any marking on the copies of the cited documents. Markings on the references should not be regarded as necessarily pointing out the portions of the subject document regarded by the Applicant as relevant to the subject application. Applicant respectfully requests that the information cited be made of record in the subject case.

## IDENTIFICATION OF TIME OF FILING THE INFORMATION DISCLOSURE STATEMENT

The Information Disclosure Statement is being submitted before a first office action on the merits of the application. No fee is due with the filing of this paper. 37 C.F.R. §1.97(b)(3).

Respectfully submitted,

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Juni 7, 2002 Date

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

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Complete if Known						
Application Number	10/049,876					
Filing Date	February 12, 2002					
First Named Inventor	William F. AFTOORA					
Group Art Unit	not assigned yet					
Examiner Name	not assigned yet					
Attorney Docket Number	WFA-1400					
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U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No.1		ent Kind Code² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
-		6,001,408		Dudacek et al.	12-14-1999				
		5,985,350		Gubler et al.	11-16-1999	•			
		5,939,126		Flynn	08-17-1999				
		5,932,272		Raemy et al.	08-03-1999				
		5,932,270		Rock et al.	08-03-1999				
		5,895,676		Thomas	04-20-1999				
		5,858,426		Bienvenu	01-12-1999				
		5,536,522		Seeds et al.	07-16-1996				
		5,208,062		Sugisawa et al.	05-04-1993				
		5,206,046		Seeds et al.	04-27-1993				
		5,145,705		Seeds	09-08-1992				
		4,844,938		Amamoto et al.	07-04-1989				
		4,568,551		Seewi et al.	02-04-1986				
		4,415,599		Bos	11-15-1983				
		4,363,824		Willi et al.	12-14-1982	·			
		4,126,710		Jaworski et al.	11-21-1978				
	1	3,966,993		Luck	06-29-1976				
		3,681,094		Rogers, et al.	08-01-1972				
		3,652,299		Penton	03-28-1972				
		2,278,466		Musher	04-07-1942				

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*		Foreign Patent Document					Date of Publication of	Pages, Columns, Lines,	
	Cite No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Co (if know		Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T°
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Substitute fo	r form 1449A/PTO			Complete if Known		
				Application Number	10/049,876	
INFOR	MATION D	ISC	LOSURE	Filing Date	February 12, 2002	
STATEMENT BY APPLICANT				First Named Inventor	William F. AFTOORA	
				Group Art Unit	not assigned yet	
(use as many sheets as necessary)				Examiner Name	not assigned yet	
Sheet	2	of	2	Attorney Docket Number	WFA-1400	

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Examiner Initials*	er Cite	U.S. Patent Doo	kument Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Reievant Passages or Relevant Figures Appear		
*****		2,168,360		Musher	08-08-1939			
		2,131,064		Musher	09-27-1938			
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	Cite No.1	Office <sup>3</sup>	Number*		Code⁵ nown)	Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	
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